

EXHIBIT 7

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

**WAPP TECH LIMITED PARTNERSHIP
and WAPP TECH CORP.,**

Plaintiffs,

v.

BANK OF AMERICA, N.A.,

Defendant.

**WAPP TECH LIMITED PARTNERSHIP
and WAPP TECH CORP.,**

Plaintiffs,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 4:21-cv-00670-ALM

JURY TRIAL DEMANDED

Case No. 4:21-cv-00671-ALM

JURY TRIAL DEMANDED

**DEFENDANTS' IDENTIFICATION OF PRELIMINARY CLAIM CONSTRUCTIONS
AND EXTRINSIC EVIDENCE**

I. INTRODUCTION

Pursuant to the Docket Control Order and P.R. 4-2, Defendants Wells Fargo Bank, N.A. and Bank of America, N.A. (“Defendants”) hereby provide Defendants’ Identification of Preliminary Claim Constructions and Extrinsic Evidence.

II. PRELIMINARY STATEMENT AND RESERVATION OF RIGHTS

Defendants identify the following proposed constructions and extrinsic evidence based on the Asserted Claims in Wapp’s January 18, 2022, Disclosure of Asserted Claims and Preliminary Infringement Contentions (the “Infringement Contentions”). Defendants reserve the right to

modify this disclosure should additional information become available through discovery. Further, Defendants reserve the right to modify this disclosure once it has reviewed Wapp's proposed claim constructions (pursuant to Local Patent Rule 4-2) and in light of arguments made or positions taken by Wapp as this case proceeds. The terms, clauses, and claim elements that should be construed are generally identified at least in the claim where each term first occurs. Unless otherwise indicated, other occurrences of a term, clause, claim element, or a variant thereof, should also be construed, regardless of whether the other occurrences are expressly identified with respect to other applicable claims. Further, several of the identified phrases or clauses for construction can be divided or subdivided in various ways. Defendants reserve the right to propose that parts or subparts of the identified phrases and clauses be construed by the Court.

For each of the terms below, Defendants reserve the right to rely on expert witness testimony regarding the proper construction of the term and/or to rebut any expert or percipient witness testimony presented by Wapp in support of its proposed claim constructions.

Subject to the above limitations and reservations of rights, Defendants submit that the following claim constructions should be adopted by the Court:

III. STIPULATED CLAIM CONSTRUCTIONS

The parties have stipulated to the following constructions, which were previously adopted by the Court in *Wapp Tech Ltd. P'ship et al. v. Seattle Spinco, Inc. et al.*, No. 4:18-cv-469, Dkt. No. 176 (Apr. 27, 2020):

Term	Construction
“system for testing an application for a mobile device” (’678 Patent, Claim 45; ’864 Patent, Claim 1) “system for developing an application for a mobile device” (’192 Patent, Claim 1)	The preambles are limiting; plain meaning.
“application” (’192 Patent, Claim 1; ’864 Patent, Claim 1; ’678 Patent, Claim 45)	Plain meaning.
“simulate” / “simulating” (’678 Patent, Claim 45; ’864 Patent, Claim 1; ’192 Patent, Claim 1; ’811 Patent, Claims 1, 8, 22, 24; ’579 Patent claims 1, 7, 11, 19)	“emulate” / “emulating”
“emulate” (’192 Patent, Claim 1)	Plain meaning.
“simultaneously visually simulate, via one or more profile display windows” (’678 Patent, Claim 45) “simultaneously visually emulate, via one or more profile display windows” (’192 Patent, Claim 1)	“emulate simultaneously, and display one or more windows showing resources of the mobile device that are available to the application”
“simulate, via one or more profile display windows” (’864 Patent, Claim 1)	“emulate, and display one or more windows showing resources of the mobile device that are available to the application”
“configured to” (’192 Patent, Claims 1, 2; ’678 Patent, Claim 45; ’864 Patent, Claim 1)	“actually programmed to”
“the software” (’678 Patent, Claim 45)	The antecedent basis for “the software” in “a software testing interface” in Claim 45 of the ’678 Patent.

IV. DEFENDANTS' PROPOSED CLAIM CONSTRUCTIONS

Additionally, and subject to the foregoing, Defendants identify the following proposed constructions and extrinsic evidence.

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
1.	<p>“a software authoring interface configured to simultaneously visually emulate, via one or more profile display windows, a plurality of network characteristics indicative of performance of the mobile device when executing the application ... further configured to simulate a network connection state encountered by the mobile device”</p> <p>(’192 Patent, Claim 1)</p>	<p>Means-plus-function term. This term is indefinite</p> <p>Function: simultaneously visually emulate, via one or more profile display windows, a plurality of network characteristics indicative of performance of the mobile device when executing the application and simulate a network connection state encountered by the mobile device</p> <p>Structure: This term is indefinite for lack of sufficient corresponding structure in the specification.</p>	<p>Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase “software authoring interface,” the function performed by that interface as recited in the claim, and the structure, if any, disclosed in the specification for performing that function.</p>

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
2.	<p>“the software authoring interface is configured to enable a user to select from one or more connection simulations for testing how well mobile content performs on the mobile device” (’192 Patent, Claim 2)</p>	<p>Means-plus-function term. This term is indefinite</p> <p>Function: enable a user to select from one or more connection simulations for testing how well mobile content performs on the mobile device</p> <p>Structure: This term is indefinite for lack of sufficient corresponding structure in the specification.</p>	<p>Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase “software authoring interface,” the function performed by that interface as recited in the claim, and the structure, if any, disclosed in the specification for performing that function.</p>
3.	<p>“software configured to simulate, via one or more profile display windows, a plurality of network characteristics indicative of performance of the mobile device when executing the application” (’864 Patent, Claim 1)</p>	<p>Means-plus-function term. This term is indefinite</p> <p>Function: simulate, via one or more profile display windows, a plurality of network characteristics indicative of performance of the mobile device when executing the application</p> <p>Structure: This term is indefinite for lack of sufficient corresponding structure in the specification.</p>	<p>Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase “software,” the function performed by that interface as recited in the claim, and the structure, if any, disclosed in the specification for performing that function.</p>

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
4.	<p>“a software testing interface configured to simultaneously visually simulate, via one or more profile display windows, a plurality of operator network characteristics including at least bandwidth availability indicative of performance of the mobile device when executing the application”</p> <p>(’678 Patent, Claim 45)</p>	<p>Means-plus-function term. This term is indefinite</p> <p>Function: simultaneously visually simulate, via one or more profile display windows, a plurality of operator network characteristics including at least bandwidth availability indicative of performance of the mobile device when executing the application</p> <p>Structure: This term is indefinite for lack of sufficient corresponding structure in the specification.</p>	<p>Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase “software testing interface,” the function performed by that interface as recited in the claim, and the structure, if any, disclosed in the specification for performing that function.</p>

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
5.	“network characteristics” (’192 Patent, Claim 1; ’864 Patent, Claim 1; ’678 Patent, Claim 45; ’579 Patent, Claims 25, 26)	“characteristics of the network, regardless of whether they are identified directly or identified as events”	Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase “network characteristics”; Expert Report of Sam Malek Relating to the Validity of U.S. Patent Nos. 8,924,192, 9,971,678, and 9,298,864 dated December 22, 2020 (MFSUB0016349-16500) at ¶¶37-59, 236-253.

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
6.	“indicative of” (’192 Patent, Claim 1; ’864 Patent, Claim 1; ’678 Patent, Claim 45; ’811 Patent, Claims 1, 4, 9, 22, 24, ’579 Patent, Claim 7)	Indefinite	Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the meaning of the phrase “indicative of”; ’579 patent, file history, May 16, 2019 Non-Final Rejection; ’579 patent, file history, November 18, 2019 Amendment and Response to Non-Final Office Action.

	Term	Preliminary Proposed Construction	Preliminary Identification of Extrinsic Evidence
7.	“the selected characteristics” (’579 Patent, Claim 1)	Indefinite	Expert testimony regarding the meaning and scope of the claim terms as understood by a POSITA in light of the specification, file history, and any other relevant intrinsic or extrinsic evidence, including without limitation, expert testimony regarding the antecedent basis, if any, for this claim limitation, whether this claim limitation has a reasonably ascertainable meaning, the order of steps recited in the claims, and the effect such order would have on understanding the construction of this claim term.

Defendants disclose that Dr. Sandeep Chatterjee may opine on the topics summarized above and below and may offer testimony in rebuttal to any expert opinions advanced by Plaintiff. Appendix A to this disclosure sets forth Dr. Chatterjee’s qualifications. In reaching his opinions, Dr. Chatterjee may rely on his experience and the knowledge of a person of ordinary skill in the art, the state of prior art, the specifications of the asserted patents and their prosecution histories, the language of the asserted claims, evidence identified by Plaintiff in its disclosures, and/or any information identified by Plaintiff or Defendants in any disclosures or filings in relation to claim construction. By identifying Dr. Chatterjee, Defendants do not waive

any right and is not precluded from relying on another expert with similar qualifications who may provide a declaration or testimony addressing these issues.

Dr. Chatterjee may provide an opinion on the level of ordinary skill in the art. Further Dr. Chatterjee may provide opinions regarding how a person of ordinary skill in the art would understand each of the terms identified in the above table, including by providing technical background concerning the respective claim term and what one of ordinary skill in the art would understand the claim term to mean in view of the knowledge in the field at the time of the patent, the specifications, the prosecution histories, the claim language, and/or the extrinsic evidence. Additionally for each term in the above table that Defendants identified as indefinite, Dr. Chatterjee may provide opinions explaining that the terms, read in light of the specification delineating the patent and the prosecution history, fail to inform, with reasonable certainty, those skilled in the art about the scope of the invention.

Dated: March 10, 2022

Respectfully submitted,

/s/ Marc J. Pensabene

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Dated: March 10, 2022

Respectfully submitted,

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Attorneys for Wells Fargo Bank, N.A.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 10th day of March 2022 with a copy of this document via electronic mail.

Dated: March 10, 2022

/s/ E. Danielle T. Williams

E. Danielle T. Williams

APPENDIX A



Harvard University
Exec. Ed., Global Leadership

Massachusetts Institute of Technology
Ph.D., Computer Science
M.S., Electrical Engineering & Computer Science

Sandeep Chatterjee, Ph.D.

Chief Executive Officer

University of California at Berkeley
B.S., Electrical Engineering & Computer Science

Professional Summary

Sandeep Chatterjee, Ph.D. is a seasoned technology expert and business professional with almost two decades of hands-on contributions as a thought leader, technologist, consultant, entrepreneur, and author. He is an expert in computer software and hardware systems, with particular emphasis on distributed systems and architectures, service-oriented architectures (SOAs), software-as-a-service (SaaS) and Web Services, end-to-end security, quality-of-service (QoS), communications and telecommunications systems, location-based services, social network services and social media, as well as mobile and wireless systems and applications. He is the co-author of a book on developing enterprise computing systems, which has been adopted by over 100 universities worldwide.

Dr. Chatterjee also has extensive experience with providing expert testimony for intellectual property and commercial litigation, including for high stakes patent litigation, copyright and trade secret misappropriation, contract disputes and patent licensing cases. He has testified at trial, and has had his deposition taken more than 60 times. Dr. Chatterjee combines strong experience with expert testimony within the context of litigation together with worldwide experience in designing, architecting and implementing complex computing systems.

Honors & Achievements

- Named a **Young Global Leader** by the **World Economic Forum** for professional accomplishments, commitment to society and potential to contribute to shaping the future of the world.
- Doctoral dissertation at the Massachusetts Institute of Technology (MIT) was selected as one of the **most important inventions in computing**, and the invention is preserved and showcased in a time-capsule at the Museum of Science in Boston, Massachusetts. Other recipients of this honor include **Bill Gates** (founder of Microsoft) and **Tim Berners-Lee** (inventor of the World Wide Web).
- Technology solution designed by Dr. Chatterjee was identified as a Bloomberg Innovation, and the company he co-founded to commercialize that technology solution was featured on Bloomberg TV's "**Bloomberg Innovators**" program.
- Member of the **JSR 172 Expert Group** that defined the worldwide standard for J2ME mobile Web services.

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Professional Experience

From: 2013
To: present
Organization: Experantis LLC
Title: Chief Executive Officer
Summary: Experantis LLC provides consultation and services in all facets of commercial litigation.

From: 2016
To: 2019
Organization: International Institute of Digital Technologies
Title: Dean, Mobility Center of Excellence
Summary: International Institute of Digital Technologies (IIDT) is a leading institute of higher education, focused on digital technologies.

From: 2013
To: present
Organization: S3G Technology LLC
Title: Member
Summary: S3G Technology LLC provides consultation, products and services related to mobile and wireless solutions that deliver critical services to semi-urban, rural and remote populations across the world.

From: 2011
To: present
Organization: World Economic Forum
Title: Young Global Leader; Member of the Expert Network
Summary: The World Economic Forum is an international institution for public-private cooperation, and its mission is cited as "committed to improving the state of the world by engaging business, political, academic, and other leaders of society to shape global, regional, and industry agendas."

From: 2007
To: present
Organization: Shuv Gray LLC
Title: Chief Executive Officer
Summary: Shuv Gray LLC provides information technology and intellectual property consultation and services.

From: 2007
To: 2012
Organization: SourceTrace Systems, Inc.
Title: Chief Technology Officer & Executive Vice President
Summary: SourceTrace Systems is a leading vendor of end-to-end mobile and wireless distributed transactional systems for the financial services, agricultural commodities, and product distribution markets around the world.

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From: 2004
To: 2007
Organization: Cyndeo LLC
Title: Chief Executive Officer
Summary: Founded Cyndeo to be a leading provider of enterprise integration and mobilization solutions as well as technology strategy consulting and outsourcing services to global corporations, government agencies, and major not-for-profit organizations. Cyndeo provides consulting, software engineering development, and management services to companies and organizations of all sizes, from Fortune Global 100 corporations to small organizations in developing countries.

From: 2001
To: 2002
Organization: Hewlett-Packard (Palo Alto, CA)
Title: Senior Member of Technical Staff
Summary: Independently identified a need in the mobile and e-Business marketplace for a more flexible Web Services platform. Invented a patent-pending (applied) solution, and led the development as well as the initial sales and marketing efforts.

- This next-generation J2EE (HP/Bluestone app server) Web Services solution ties together the emerging Web Services standards, end-to-end transactions, and optimized mobile services & applications.
- Led and managed the entire lifecycle of the product from conception, architectural design, product development, QA, documentation, senior management approval, patent filing, preparation for marketing launch at JavaOne, as well as interfacing with early adopter customers and strategic partners.
- Managed relationships with multiple HP organizations and teams that contributed to the overall solution.
- Positioned the product, targeted key early adopters and partners, and leveraged my own contacts to build successful strategic relationships.
- Selected to provide support to HP/Bluestone's top sales manager, and helped land a strategic account in the Asia-Pac market.
- Selected as the representative for Hewlett Packard to the JSR 172 Expert Group that is defining the worldwide standard for J2ME mobile Web Services.

From: 1999
To: 2000
Organization: Satora Networks
Title: Founder & Chief Technology Officer
Summary: Founded Satora Networks to create wireless platforms and services for Internet devices based on the technologies invented by Dr. Chatterjee as part of his Ph.D. research at MIT Lab for Computer Science.

- Raised venture funding, recruited the management and core engineering teams, set corporate and product strategy, handled customer and partner relations, and managed overall corporate affairs.

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- Architected and led the development of the StrongARM-based mobile hardware platform, Linux-based mobile OS, client-side services, and server-side J2EE environment.
- Landed key customer and partner wins, managed revenue and burn rate to become profitable early on, and oversaw the growth of the company.

From:	1995
To:	2001
Organization:	MIT Lab for Computer Science
Title:	Doctoral Researcher
Summary:	<p>Designed a modular system architecture that supports the cost-effective development of network devices and services. The system consists of Lego-like commodity hardware and standards-based software components that are quickly composed together through a development environment into optimized end-user devices as well as client-side services.</p> <ul style="list-style-type: none">▪ Architected and implemented the entire system: a Linux-based client software environment, a wireless network and StrongARM processor-based device hardware platform, as well as a Web-based design and optimization environment and tool.▪ Successfully mentored and managed a research group of 6 Masters and Bachelors students.▪ The technology underlying Dr. Chatterjee's thesis was selected as one of the top inventions in thirty-five year history of MIT Laboratory for Computer Science.

From:	1997
To:	1999
Organization:	FidelityCAPITAL (Boston, MA)
Title:	Entrepreneur-In-Residence
Summary:	<p>Worked with Fidelity senior management and FidelityCAPITAL partners to source, analyze, and fund technology start-ups strategic to Fidelity interests.</p> <ul style="list-style-type: none">▪ Evaluated business plans submitted to Fidelity for venture funding, and analyzed emerging market and technology trends to identify opportunities for internal spin-offs in the telecom and eBusiness spaces.▪ Founded and served as President & CTO of a wireless devices and services company (Satoria Networks) that was seed funded by Fidelity.

Litigation Support Experience

Expert Engagement:

Type of Matter:	Enterprise Software Patent Infringement
Law Firm:	Morrison & Foerster
Case Name:	Software AG and Software AG v. BEA Systems
Services Provided:	Retained as BEA's expert; submitted two expert reports; deposed twice; prepared for trial (exhibits, testimony, cross examination).
Date:	2004

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Expert Engagement:

Type of Matter: Enterprise software intellectual property litigation.
Law Firm: Morrison & Foerster
Case Name:
Services Provided: Consultant to attorney
Date: 2004-2005

Expert Engagement:

Type of Matter: Mobile software intellectual property litigation.
Law Firm: Perkins Coie
Case Name: Esmertec v. Tao Group
Services Provided: Retained as Esmertec's expert; submitted two expert reports.
Date: 2006

Expert Engagement:

Type of Matter: Enterprise and mobile software intellectual property litigation.
Law Firm: McDermott Will & Emery
Case Name: Metrologic Instruments v. Symbol Technologies
Services Provided: Retained as Metrologic's expert
Date: 2006-2007

Expert Engagement:

Type of Matter: Distributed and mobile computing trade secret litigation.
Law Firm: Haralson, Miller, Pitt, Feldman & McAnally
Case Name: Modular Mining Systems (Komatsu Ltd.) v. Jigsaw Systems et al.
Services Provided: Retained as Modular's expert; submitted two expert reports; deposed.
Date: 2006-2008

Expert Engagement:

Type of Matter: Distributed systems, mobile computing and object oriented programming
intellectual property litigation.
Law Firm: Kirkland & Ellis
Case Name:
Services Provided: Consultant to attorney
Date: 2007

Expert Engagement:

Type of Matter: Communications software and systems intellectual property litigation.
Law Firm: Carey Rodriguez Greenberg & Paul
Case Name: Catch Curve v. Venali
Services Provided: Retained as Venali's expert; submitted two expert reports
Date: 2008

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Expert Engagement:

Type of Matter: Distributed computing and network routing systems intellectual property litigation.
Law Firm: Vinson & Elkins
Case Name: WebXChange v. Dell
Services Provided: Retained as Dell's expert
Date: 2008-2010

Expert Engagement:

Type of Matter: Communications systems intellectual property litigation.
Law Firm: Kirkland & Ellis
Case Name: Motorola, Inc. et al. v. Rembrandt Technologies, LP
Services Provided: Retained as the plaintiffs' expert; submitted expert report
Date: 2009

Expert Engagement:

Type of Matter: Database and object mapping intellectual property litigation.
Law Firm: Kirkland & Ellis
Case Name: DataTern v. United Airlines
Services Provided: Retained as United Airlines' expert
Date: 2009

Expert Engagement:

Type of Matter: Control systems intellectual property litigation.
Law Firm: Morgan Lewis & Bockius
Case Name: Finisar v. Source Photonics
Services Provided: Retained as Finisar's expert; source code review
Date: 2010

Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.
Law Firm: Morgan Lewis & Bockius
Case Name: OpenWave v. 724 Solutions
Services Provided: Retained as OpenWave's expert; source code review
Date: 2010

Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.
Law Firm: Winston Strawn
Case Name: Ganas v. Charles Schwab et al
Services Provided: Retained as Charles Schwab's expert
Date: 2011

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Expert Engagement:

Type of Matter: Mobile systems trade secret misappropriation litigation.
Law Firm: Berliner Cohen
Case Name: Damodharan Ulagaratchalan v. Dhyan Infotech
Services Provided: Retained as Dhyan's expert; source code review
Date: 2011

Expert Engagement:

Type of Matter: Control systems intellectual property litigation.
Law Firm: Morgan Lewis & Bockius
Case Name: Finisar v. Oplink
Services Provided: Retained as Finisar's expert; source code review
Date: 2011

Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.
Law Firm: Ropes & Gray
Case Name: Motorola Mobility (Google) v. Microsoft
Services Provided: Retained as Google's expert; source code review
Date: 2011-2012

Expert Engagement:

Type of Matter: Wireless networking & management intellectual property litigation.
Law Firm: Kirkland & Ellis
Case Name: Netgear v. Ruckus Wireless
Services Provided: Retained as Netgear's expert; source code review
Date: 2012-2013

Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.
Law Firm: Morgan Lewis & Bockius
Case Name: XpertUniverse v. Cisco Systems
Services Provided: Retained as Cisco's expert; submitted expert report; source code review; deposition; trial
Date: 2012-2013

Expert Engagement:

Type of Matter: Distributed computing systems contract litigation.
Law Firm: Berliner Cohen
Case Name: Skillnet Solutions v. Entertainment Publications
Services Provided: Retained as Entertainment's expert
Date: 2013

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Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.
Law Firm: Mayer Brown
Case Name: Aeritas v. US Airways, Inc., Delta Airlines, Inc., Alaska Air Group
Services Provided: Retained as the airlines' expert; submitted 3 expert reports; source code review; depositions
Date: 2013

Expert Engagement:

Type of Matter: Distributed systems intellectual property litigation.
Law Firm: Ropes & Gray
Case Name: Wellogix v. ADP et. al.
Services Provided: Retained as ADP's expert
Date: 2013

Expert Engagement:

Type of Matter: Trade secret misappropriation litigation.
Law Firm: Hopkins & Carley
Case Name: Bradford Technologies v. NCV Software et al.
Services Provided: Retained as Bradford's expert; submitted expert report; mediation
Date: 2013

Expert Engagement:

Type of Matter: Mobile systems intellectual property litigation.
Law Firm: Fish & Richardson P.C.
Case Name: Ericsson Inc. v. Samsung Electronics Co., Ltd. et al.
Services Provided: Retained as Samsung's expert; source code review
Date: 2013

Expert Engagement:

Type of Matter: Contract dispute litigation.
Law Firm: Morgan Lewis & Bockius
Case Name: AMC Technologies v. Cisco Systems
Services Provided: Retained as Cisco's expert; submitted expert report; deposition
Date: 2013

Expert Engagement:

Type of Matter: Trade secret misappropriation litigation.
Law Firm: Lexanalytica
Case Name: PQ Labs v. Qi et. al.
Services Provided: Retained as defendants' expert; source code review; deposition
Date: 2013

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Expert Engagement:

Type of Matter: Distributed systems and security intellectual property litigation.
Law Firm: Troutman Sanders
Case Name: Media Rights Technologies, Inc. v. Capital One Financial Corporation
Services Provided: Retained as Capital One's expert; source code review; expert reports; declaration
Date: 2013

Expert Engagement:

Type of Matter: Distributed computing intellectual property litigation.
Law Firm: Rothwell, Figg, Ernst & Manbeck, P.C.
Case Name: SecureBuy v. CardinalCommerce
Services Provided: Retained as SecureBuy's expert; *inter partes* review; declarations
Date: 2013

Expert Engagement:

Type of Matter: Distributed computing intellectual property litigation.
Law Firm: Mayer Brown LLP
Case Name: American Airlines , Inc. et al. v. Loyalty Conversion Systems Corporation
Services Provided: Retained as the airlines' expert; covered business method petitions; declarations
Date: 2014

Expert Engagement:

Type of Matter: Mobile computing and security intellectual property litigation.
Law Firm: Dickstein Shapiro, LLP
Case Name: Tierra Intellectual Borinquen, Inc. v. Toshiba Corporation et. al.
Services Provided: Retained as Toshiba's expert; declaration; expert report
Date: 2014

Expert Engagement:

Type of Matter: Distributed computing systems and software intellectual property litigation.
Law Firm: Reed Smith, LLP
Case Name: Kroy IP Holdings, LLC v. Safeway, Inc. and The Kroger Co.
Services Provided: Retained as the defendants' expert; expert report
Date: 2014

Expert Engagement:

Type of Matter: Secure mobile computer hardware and software intellectual property litigation.
Law Firm: White & Case LLP
Case Name: Maxim Integrated Products, Inc. v. JPMorgan Chase & Co.
Services Provided: Retained as JPMorgan Chase's expert; 3 expert reports
Date: 2014

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Expert Engagement:

Type of Matter: Computer hardware and software antitrust litigation.
Law Firm: Morgan Lewis & Bockius LLP
Case Name: In Re: Keurig Green Mountain Single Serve Coffee Antitrust Litigation.
Services Provided: Retained as plaintiffs' expert; declarations
Date: 2014

Expert Engagement:

Type of Matter: Mobile computer and location-based systems intellectual property litigation.
Law Firm: Morgan Lewis & Bockius LLP
Case Name: Unwired Planet LLC v. Square, Inc.
Services Provided: Retained as plaintiffs' expert; source code review; declarations
Date: 2014

Expert Engagement:

Type of Matter: Distributed computing systems intellectual property litigation.
Law Firm: Morrison & Foerster LLP
Case Name: AirWatch LLC v. Good Technology Corporation et al.
Services Provided: Retained as plaintiff's expert; declaration
Date: 2014

Expert Engagement:

Type of Matter: Mobile computer and location-based systems intellectual property litigation.
Law Firm: Goodwin Procter LLP
Case Name: Unwired Planet LLC v. Square, Inc.
Services Provided: Retained as plaintiff/patent owner's expert; source code review; covered business methods review; *inter partes* review; declarations; deposition
Date: 2015

Expert Engagement:

Type of Matter: Distributed computing systems intellectual property litigation.
Law Firm: Morrison & Foerster LLP
Case Name: Good Technology Corporation et al. v. AirWatch LLC
Services Provided: Retained as defendant's expert; *inter partes* review; declaration
Date: 2015

Expert Engagement:

Type of Matter: Mobile computer and location-based systems intellectual property litigation.
Law Firm: Schwegman Lundberg & Woessner
Case Name: Square, Inc. v. Unwired Planet LLC
Services Provided: Retained as patent owner's expert; CBM declaration
Date: 2015

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Expert Engagement:

Type of Matter: Mobile computer and location-based systems intellectual property litigation.
Law Firm: EIP
Case Name: Square, Inc. v. Unwired Planet LLC
Services Provided: Retained as patent owner's expert; *inter partes* review; declaration
Date: 2015

Expert Engagement:

Type of Matter: Software systems intellectual property litigation.
Law Firm: Mayer Brown LLP
Case Name: American Express Company et al. v. Signature Systems, LLC
Services Provided: Retained as petitioner's expert; covered business methods review; declaration
Date: 2015

Expert Engagement:

Type of Matter: Software and backup systems intellectual property litigation.
Law Firm: Morrison & Foerster LLP
Case Name: Farstone Technology, Inc. v. Apple, Inc.
Services Provided: Retained as Apple's expert; source code review; expert reports (2); declarations; deposition
Date: 2015

Expert Engagement:

Type of Matter: Distributed computing systems intellectual property litigation.
Law Firm: Baker Botts LLP
Case Name: MobileIron, Inc. v. Good Technology Corporation
Services Provided: Retained as petitioner's expert; *inter partes* review; declaration
Date: 2015

Expert Engagement:

Type of Matter: Data management intellectual property litigation.
Law Firm: Mayer Brown
Case Name: Olivistar v. Regions Bank et al.
Services Provided: Retained as defendant's expert; declaration
Date: 2015

Expert Engagement:

Type of Matter: Cloud computing and data migration intellectual property litigation.
Law Firm: Ropes & Gray
Case Name: BitTitan v. SkyKick
Services Provided: Retained as defendant's expert; declarations; deposition
Date: 2015

Expert Engagement:

Type of Matter: Breach of contract, fraud litigation involving large scale enterprise software.
Law Firm: Orrick
Case Name: State of Oregon v. Oracle et al.
Services Provided: Retained as defendants' expert
Date: 2016

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Expert Engagement:

Type of Matter: Document processing intellectual property litigation.
Law Firm: Mayer Brown
Case Name: Capital Security Systems v. NCR et al.
Services Provided: Retained as defendants' expert; expert report
Date: 2016

Expert Engagement:

Type of Matter: Web page intellectual property litigation.
Law Firm: Cooley
Case Name: Tele-Publishing, Inc. v. Facebook et al.
Services Provided: Retained as Facebook's expert; expert report; declarations; deposition
Date: 2016

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Cooley
Case Name: Sound View Innovations, LLC v. Facebook, Inc.
Services Provided: Retained as Facebook's expert; *inter partes* review; declarations
Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Cooley
Case Name: Zkey Investments, LLC v. Facebook, Inc.
Services Provided: Retained as Facebook's expert; *inter partes* review; declaration
Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Young Basile
Case Name: Mantissa Corp. v. Ondot Systems, Inc. et al
Services Provided: Retained as plaintiff's expert; declaration
Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Cooley
Case Name: Vaporstream, Inc. v. Snap, Inc.
Services Provided: Retained as Snap's expert; *inter partes* review; declarations
Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Baker Botts
Case Name: Symantec Corporation v. Zscaler, Inc.
Services Provided: Retained as Symantec's expert; *inter partes* reviews; declarations
Date: 2017

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Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Klarquist
Case Name: American Express Company et al. v. Signature Systems, LLC
Services Provided: Retained as Petitioner's expert; covered business method petition; declaration
Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Miller Law
Case Name: Apogee Telecom, Inc. v. Brian Rosenblatt
Services Provided: Retained as Defendant's expert
Date: 2017

Expert Engagement:

Type of Matter: Intellectual property arbitration.
Law Firm: Morgan Lewis & Bockius
Case Name: Trupanion, Inc. v. Veterinary Data Services, Inc.
Services Provided: Retained as Defendant's expert
Date: 2017

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Goodwin
Case Name: Leftsrights, Inc. v. 33Across, Inc.
Services Provided: Retained as Defendant's expert; *inter partes* review; declaration; deposition
Date: 2018

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Cooley
Case Name: Ameranth, Inc. v. Mobo Systems, Inc. (Olo)
Services Provided: Retained as Defendant's expert; expert reports
Date: 2018

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Cooley
Case Name: Facebook, Inc. and Instagram, LLC v. Search and Social Media Partners, LLC
Services Provided: Retained as Facebook's expert; *inter partes* review; declarations; deposition
Date: 2018

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Cooley
Case Name: Facebook, Inc. v. Hyper Search LLC
Services Provided: Retained as Facebook's expert; *inter partes* review; declaration
Date: 2018

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Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Goodwin
Case Name: Touchstream Technologies, Inc. v. Vizbee, Inc.
Services Provided: Retained as Vizbee's expert; expert report; source code analysis; deposition
Date: 2018

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Cooley
Case Name: Facebook, Inc., Instagram, LLC and WhatsApp, Inc. v. BlackBerry Limited
Services Provided: Retained as Petitioners' expert; *inter partes* reviews; declarations; depositions
Date: 2018

Expert Engagement:

Type of Matter: Litigation.
Law Firm: Morgan Lewis & Bockius
Case Name: Roger Hogan et al. v. Toyota Motor Sales, U.S.A., Inc.
Services Provided: Retained as defendant's expert; expert report; deposition
Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Baker Botts
Case Name: Blue Spike LLC v. DISH Network Corp.
Services Provided: Retained as DISH's expert; *inter partes* review; declarations
Date: 2018

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: King & Spalding
Case Name: NCR Corp. v. Pendulum, LLC and Burroughs, Inc.
Services Provided: Retained as NCR's expert; expert reports; source code analysis; depositions
Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Paul Hastings
Case Name: Snap, Inc. v. BlackBerry Limited
Services Provided: Retained as Snap's expert; *inter partes* reviews; declarations
Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: King & Spalding
Case Name: Lufthansa Technik and Certified Aviation Services, LLC v. EcoServices, LLC
Services Provided: Retained as Lufthansa's expert; ex parte reexamination; declaration
Date: 2019

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Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Davis Polk & Wardwell; Winston & Strawn
Case Name: Rovi Guides, Inc. v. Comcast Corp. et al., ITC Inv. No. 337-TA-1158 (2019)
Services Provided: Retained as Comcast's expert; expert report; deposition; trial
Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Cooley
Case Name: Microsoft Corporation, Google LLC, Asustek Computer Inc., Acer Incorporated, HTC Corporation v. Mimzi, LLC
Services Provided: Retained as Petitioners' expert; *inter partes* review; declaration
Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Fish & Richardson
Case Name: Rain Computing, Inc. v. Samsung Electronics Co., Ltd.; Samsung Electronics America, Inc.; and Samsung Research America, Inc.
Services Provided: Retained as Samsung's expert; declaration
Date: 2019

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Goodwin
Case Name: JBF Interlude 2009 Ltd. - Israel v. Quibi Holdings LLC
Services Provided: Retained as JBF Interlude's expert; declaration
Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Winston & Strawn
Case Name: Warner Records, Inc., et al. v. Charter Communications, Inc.
Services Provided: Retained as Charter's expert; declarations
Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Winston & Strawn
Case Name: UMG Recordings, Inc., et al. v. Bright House Networks, LLC
Services Provided: Retained as Bright House Networks' expert; declarations
Date: 2020

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Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Ropes & Gray
Case Name: Dolby Laboratories, Inc. v. Intertrust Technologies Corporation
Services Provided: Retained as Dolby's expert; *inter partes* review; declarations
Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Barclay Damon, LLP
Case Name: Document Dynamics, LLC v. Xerox Corporation
Services Provided: Retained as Xerox's expert; declarations; re-exam
Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Goodwin
Case Name: Thaddeus Gabara v. Facebook, Inc.
Services Provided: Retained as Facebook's expert; *inter partes* reviews; declarations
Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Wilmer Cutler Pickering Hale and Dorr LLP
Case Name: NexStep, Inc. v. Comcast Cable Communications, LLC
Services Provided: Retained as Comcast's expert; declaration
Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Cooley
Case Name: Facebook, Inc. v. USC IP Partnership, L.P.
Services Provided: Retained as Petitioner's expert; *inter partes* review; declaration
Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Locke Lord
Case Name: Cloudfchange, LLC v. NCR Corp.
Services Provided: Retained as NCR's expert; expert reports; declaration; depositions; trial
Date: 2020

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Cooley
Case Name: CommVault Systems, Inc. v. Rubrik Inc.
Services Provided: Retained as Rubrik's expert; *inter partes* reviews; declarations
Date: 2020

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Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Paul Hastings
Case Name: Google LLC v. Express Mobile, Inc.
Services Provided: Retained as Google's expert; *inter partes* reviews; declarations
Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Paul Hastings
Case Name: Uber Technologies, Inc. v. AGIS Software Development LLC
Services Provided: Retained as Uber's expert; *inter partes* reviews; re-exam; declarations
Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Baker Botts
Case Name: Broadband iTV, Inc. v. AT&T Services, Inc. and AT&T Communications LLC
Services Provided: Retained as AT&T's expert; expert report; deposition
Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Baker Botts
Case Name: Broadband iTV, Inc. v. DIRECTV, LLC
Services Provided: Retained as DIRECTV's expert; expert report; deposition
Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Kirkland & Ellis
Case Name: Samsung Electronics Co., Ltd. v. Blaze Mobile, Inc. and Michelle Fisher
Services Provided: Retained as Samsung's expert; *inter partes* reviews; declarations
Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: King & Spalding
Case Name: Proven Networks, LLC v F5 Networks, Inc.
Services Provided: Retained as F5's expert; declaration
Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: King & Spalding
Case Name: WSOU Investments, LLC v F5 Networks, Inc.
Services Provided: Retained as F5's expert; declaration; deposition
Date: 2021

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Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: King & Spalding
Case Name: People.AI, Inc. v SetSail Technologies, Inc.
Services Provided: Retained as SetSail's expert; declaration
Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Orrick
Case Name: IGT and IGT Canada Solutions ULC v Zynga Inc.
Services Provided: Retained as Zynga's expert; declarations
Date: 2021

Expert Engagement:

Type of Matter: Intellectual property litigation.
Law Firm: Baker Botts
Case Name: Express Mobile, Inc. v Booking Holdings, Inc.
Services Provided: Retained as Booking Holdings' expert; declarations
Date: 2021

Non-Litigation Consulting Projects

Consulting Engagement:

Type of Matter: Enterprise software architecture and development
Client: Sevak Solutions, Inc.
Services Provided: Architect, specify, and develop enterprise-class software for secure financial transactioning in multiple markets and countries around the world
Date: 2005-2006

Consulting Engagement:

Type of Matter: Enterprise software architecture and development
Client: United States Agency for International Development (USAID)
Services Provided: Specify and develop financial transactioning and tracking software
Date: 2004-2005

Consulting Engagement:

Type of Matter: Training services
Client: South Korean Ministry of Information and Communications
Services Provided: Conducted a workshop to train selected university professors and corporate researchers on properly using mobile and distributed technology for strategic and financial growth.
Date: 2004

Consulting Engagement:

Type of Matter: Product and service strategy and development
Client: Hewlett-Packard Company

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Services Provided: Analyze market opportunities for new, market-specific technology product and service offerings
Date: 2004

Consulting Engagement:

Type of Matter: Mobile enterprise software
Client: ACCION International
Services Provided: Specified, architected, and developed a mobile enterprise software system for optimizing wireless transactioning.
Date: 2003

Consulting Engagement:

Type of Matter: Market, technology and services strategy development
Client: Hewlett-Packard Laboratories
Services Provided: Analyzed multiple country-specific market needs and opportunities, and proposed technology and service offerings
Date: 2003

Publications

1. Chatterjee, Sandeep and Webber, James, Developing Enterprise Web Services: An Architect's Guide (Pearson Education Korea Ltd. and Hong Reung Science Pub. Co. 2005), Korean Trans.
2. Chatterjee, Sandeep and Webber, James, Developing Enterprise Web Services: An Architect's Guide (Prentice Hall 2004).
3. Chatterjee, Sandeep and Webber, James, Developing Enterprise Web Services: An Architect's Guide (Pearson Education Singapore Pvt. Ltd. 2004), Indian Reprint.
4. Chatterjee, Sandeep, "Enterprise Technology: Web Services: The Next Revolution in IT," in *Dataquest* (March 2004).
5. Chatterjee, Sandeep, "Enterprise 2004 Trends: On A Cautious Note," *Dataquest* (Feb. 2004).
6. Chatterjee, Sandeep, "A Real-World Web Services-Based Application," *JavaBoutique* (http://javaboutique.internet.com/articles/WSApplications/realWorld3_1.html).
7. Chatterjee, Sandeep, "Write Once, Run Anywhere Web Services," *JavaBoutique* (http://javaboutique.internet.com/articles/WSApplications/realWorld2_1.html).
8. Chatterjee, Sandeep, "Developing Real World Web Services-Based Applications," *JavaBoutique* (<http://javaboutique.internet.com/articles/WSApplications/>).
9. Chatterjee, Sandeep, Doctoral Thesis Dissertation, "Composable System Resources As An Architecture For Networked Systems," Massachusetts Institute of Technology (2001).
10. Keckler, Stephen W., Chang, Andrew, Lee, Whay Sing, Chatterjee, Sandeep, and Dally, William J., "Concurrent Event Handling Through Multithreading," *IEEE Trans. Computers* 48(9), pages 903-916 (1999).

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11. Chatterjee, Sandeep and Devadas, Srinivas, "MASC Composable Computing Infrastructure For Intelligent Environments," *Proceedings of the Industrial Electronics Conference*, pages 132-138 (1999).
12. Chatterjee, Sandeep, "SANI: A Seamless and Non-Intrusive Framework and Agent for Creating Intelligent Interactive Homes," *Second International Conference on Autonomous Agents*, pages 436-440 (1998).
13. Chatterjee, Sandeep, "Towards A MASC Appliances-Based Educational Paradigm," *ACM Symposium on Applied Computing*, pages 112-116 (1998).
14. Chatterjee, Sandeep, "Towards Rapidly Deployable Intelligent Environments," *American Association for Artificial Intelligence Symposium on Intelligent Environments*, pages 31-36 (1998).
15. Chatterjee, Sandeep, "The ModuleC Network Architecture: A Novel Approach Of Computing Through Information Appliances," *IEEE International Symposium on Consumer Electronics* (1997).
16. Chatterjee, Sandeep, Masters Thesis, "Asynchronous Event Handling," Massachusetts Institute of Technology Technical Report (May 1997).
17. Tennenhouse, David L. and Chatterjee, Sandeep, "The First 10 Feet: The Missing Story For Encouraging User Investment In Universal Broadband Connectivity" (October 1996).
18. Chatterjee, Sandeep and Faraboschi, Paolo, "The VLIW Trace Scheduling Compiler Visual Analysis System," Hewlett-Packard Laboratories Internal Technical Report (September 1995).
19. Chatterjee, Sandeep and Donohue, Richard J., "Electron Gamma Shower Windows 2," *International Conference on Monte Carlo Simulations in Nuclear & High Energy Physics* (February 1993).